

Memorandum

To : Gary DaPrato, HPD

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Subject : Statutory References Related to RDA Reporting Requirements

During development of the new reporting formats, various options or categories were added in order to comply with statutory requirements which previously had not been enforced. Also, in the "other development" categories, categories were added which were not mandatory, but which would allow redevelopment agencies ("RDA's") to obtain acknowledgment for a variety of housing activities which are permitted with funding provided by the Low and Moderate Income Housing Fund ("LMIHF"), or without LMIHF, but are not otherwise reported because they are not credited to either "replacement" or "inclusionary" mandates.

The information below identifies the statutory mandates or authority for each category of reporting (all references are to the Health & Safety Code).

General Introductory Information

Name and address of project: Section 33080.4(a), "each activity"
Name and address of project owner: Section 33080.4(a), "each activity"
Total number of income-restricted units: Section 33080.4(a)(4)
Total Number of Units restricted by special needs types: Section 33080.4(a)(9)
and assisting in review of jurisdiction's needs, programs, and progress vis-à-vis
housing element development and redevelopment activity is supposed to be consistent
with the housing element (see, Sections 33331, 33334.2(a), 33413(b)(4), and 33490).

Elderly: Section 33080.4(a)(4)
Farmworker (migrant)
Farmworker (permanent)
Disabled (physical)
Disabled (mental)
Large Family Size: Section 33418(a) and (b)
Transitional
Female Head-of-Household

Emergency Shelter (see "Other—Non-LMIHF Funds")

Total number of income-restricted bedrooms for very low income households ("VLI"), lower income households ("LI") moderate income households ("MI") and above-moderate income households ("AM"): Section 33080.4(a)(4).

Total number of units not in compliance (containing ineligible households, based on income or family size): Section 33080.4(a)(4): ("... occupancy by [low/very low/moderate income] elderly persons and families ... specifying those units which are not currently so occupied ...") and section 33080.4(a)(7).

Prior fiscal year project report received: Section 33080(a)(7), 33418(a).

Use restriction termination date: Section 33080(a)(4): ("... and the length of time any agency-assisted units are required to remain available at affordable costs."

Replacement Projects/Units (Sections 33080.4(a)(4) and 33413)

Reporting by "Inside/Outside project area": Section 33080.4(a) ("...for each project area and for the agency overall.").

Reporting by "Agency-Developed/Non-agency Developed": Section 33080.4(a)(4), and also necessary to establish the baseline for inclusionary units and the percentage of inclusionary units required.

Reporting by "Rental/Owner": Options in section 33413(a).

Reporting by New Construction/Rehabilitation (not required to be "substantial"): Options in Section 33413(a).

Reporting by Elderly/Non-elderly: Section 33080.4(a)(4).

Reporting by VLI, LI, and M: Section 33080.4(a)(4).

Reporting by units: Section 33413(a), (current version) or by bedrooms, Section 33413(a) (1/1/2001 version).

Reporting number of units annually w/ ineligible households , based on income or family size: Section 33080.4(a)(4): ("occupancy by [low/very low/moderate income] elderly persons and families ... specifying those units which are not currently so occupied ...").

Inclusionary Projects/Units (Inside Project Area)

Reporting by "Inside/Outside project area": Section 33080.4(a) ("... for each project area and for the agency overall.")

Reporting by "Agency-Developed/Non-agency Developed": Section 33080.4 (a) (4) ("agency-assisted")-(5) (total number of units pursuant to sections 33413(b)(2), 33413(b)(1)-(2)).

Reporting by "Rental/Owner": Not specified in section 33413(b) generally, but a critical issue with respect to substantial rehabilitation (multi-family substantial rehabilitation must be rental and single-family substantial rehabilitation must be limited to agency-assisted) and additionally, rental/owner options are specifically mentioned as options with regard to acquisition of covenants.

Reporting by New Construction/Substantial Rehabilitation in project area (Non-agency assisted): Sections 33080.4(a)(6), 33413(b)(1) and (b)(2)(A)(iii)-(iv).

Reporting by Elderly/Non-elderly: Section 33080.4(a)(4).

Reporting by VLI, LI, and M: Section 33080.4(a)(4).

Reporting number of acquisition of covenants for VL/L ("AC"): Section 33413(b)(2)(B)-(C).

Multifamily units—rental
Multifamily units—purchase

Reporting number of units annually w/ ineligible households , based on income or family size: Section 33080.4(a)(4): ("occupancy by [low/very low/moderate income] elderly persons and families ... specifying those units which are not currently so occupied ...").

Reporting one-for-one new construction or substantial rehabilitation units: Section 33413(b)(2)(A) (i)(ii).

Inclusionary Projects/Units (Outside Project Area)

Reporting by "Inside/Outside project area": Section 33080.4(a) ("... for each project area and for the agency overall.")

Reporting by "Agency-Developed/Non-agency Developed": Section 33080.4 (a) (4) ("agency-assisted")-(5) (total of units pursuant to sections 33413(b)(2), 33413(b)(1)-(2)).

Reporting by "Rental/Owner": Not specified in section 33413(b) generally, but a

critical issue with respect to substantial rehabilitation (multi-family substantial rehabilitation must be rental and single-family substantial rehabilitation must be limited to agency-assisted) and additionally, rental/owner options are specifically mentioned as options with regard to acquisition of covenants.

Reporting by New Construction/Substantial Rehabilitation in project area (Non-agency assisted): Sections 33080.4(a)(6), 33413(b)(1) and (b)(2)(A)(iii)-(iv).

Reporting by Elderly/Non-elderly: Section 33080.4(a)(4).

Reporting by VLI, LI, and M: Section 33080.4(a)(4).

Reporting number of units annually w/ ineligible households , based on income or family size: Section 33080.4(a)(4): ("occupancy by [low/very low/moderate income] elderly persons and families ... specifying those units which are not currently so occupied ...").

Reporting one-for-one new construction or substantial rehabilitation units: Section 33413(b)(2)(A) (i)(ii).

Reporting number of acquisition of covenants for VL/L ("AC"): Section 33413(b)(2)(B)-(C).

Multifamily units—rental
Multifamily units—purchase

Other Projects/Units (w/ LMIHF Funds): generally, Section 33080.4(a)(6)

Reporting by "Inside/Outside project area": Section 33080.4(a) ("... for each project area and for the agency overall.") and section 33334.2(g).

Reporting by "Agency-Developed/Non-agency Developed": Necessary to establish the baseline for inclusionary units and the percentage of inclusionary units required. Section 33413(b)(1)-(2)

Reporting by Elderly/Non-elderly: Section 33080.4(a)(4).

Reporting types of assistance/construction:

Mobilehomes: Section 33334.2(e)(10), maintain the community's supply of mobilehomes

Mobilehome parks: Section 33334.2(e)(10), maintain the community's supply of mobilehomes

New construction: Section 33334.2(e)(5), other than replacement or

inclusionary
Substantial rehabilitation, section 33334.2(e)(7), other than replacement
or inclusionary
Other rehabilitation, section 33334.2(e)(7), other than replacement or
inclusionary.
Acquisition only: Section 33334.2(e)(6)
Acquisition of covenants: Section 33334.2(e)(8), "subsidies"
Preservation: Sections 33334.2(e)(11), 33334.3(h), and 33334.9, rental only
Other subsidies: Section 33334.2(e)(8), other than listed items
Other assistance:

Reporting by "Rental/Owner":

Reporting by VLI, LI, and M: Section 33080.4(a)(4)

Reporting number of units annually w/ ineligible households , based on income
or family size: Section 33080.4(a)(4): ("occupancy by [low/very low/moderate income]
elderly persons and families ... specifying those units which are not currently so
occupied ...").

Other Projects/Units (w/o LMIHF Funds): generally, 33080(a), 33080(a)(9)

Generally, section 33080.4(a) ("... regardless of whether each activity is funded
exclusively by the state or federal government ...")

Reporting by "Inside/Outside project area": Section 33080.4(a) ("... for each
project area and for the agency overall.")

Reporting by "Agency-Developed/Non-agency Developed": Necessary to
establish the baseline for inclusionary units and the percentage of inclusionary units
required. Section 33413(b)(1)-(2)

Reporting by "Rental/Owner":

Reporting types of assistance/construction: (note: most of these are the same
as "Other—With LMIHF", except for the three which are unique to non-LMIHF activity)

Mobilehomes
Mobilehome parks
New construction
Substantial rehabilitation
Other rehabilitation
Acquisition only
Acquisition of covenants

Preservation
Other subsidies
Other assistance
Preservation/Replacement: Section 33334.3(h)
Rental Replacement: Section 33334.3 (f)(1)(A)
Emergency Shelter Beds: Section 33021.1
Other:

Reporting by Elderly/Non-elderly: Section 33080.4(a)(4)

Reporting by VLI, LI, and M: Section 33080.4(a)(4)

Reporting number of units annually w/ ineligible households , based on income or family size: Section 33080.4(a)(4): ("occupancy by [low/very low/moderate income] elderly persons and families ... specifying those units which are not currently so occupied ...").

Reporting Units above moderate income ("AM"): Section 33080.4(a)(9)